

Lynnae Lake
In the Matter of Emily Joy Lake
And All Other Michigan Parents, Families and Children

**Objections to Routine Non Specific Psychological Evaluation DHS/Court
Recommendations**

1. No motion for good cause with notice as per MCR 2.311(A) Physical and mental examinations of persons.
 - a. Mental need or fishing expedition? I have Constitutional right to privacy and to be free of governmental interference.
 - b. What specifics are sufficient to warrant a court to order or is it merely "discretionary decision making" to use funds, "rubber stamp" compliance with "reasonable efforts mandates" to receive said funding and to further the nepotism between the court and DHS.
 - c. Did this court make specific findings of fact and conclusions of law and sufficiently state on record why the court agrees that "Good Cause" exists?
 - d. Hinging contact with Emily "until a psychological evaluation and counseling is completed" is being held as a reward or punishment because there is no jurisdiction over the parent is therefore punitive in nature on both parent and child.
2. I challenge Judge Allen, GAL and DHS agency and worker on their understanding of attachment and bonding and the effects of trauma caused by deprivation through lack of contact, love, intimacy, parental guidance, shared memories of life altering events large and small.
 - a. Court is supposed to be an advocate for the child in its jurisdiction.
 - b. Use of punitive measures without just cause on parent and child is beyond the scope of the court's jurisdiction.
3. Ties to psychological community via contractual arrangement is a significant percentage of the actual contractual budget for DHS with psychological evaluations, psychiatric testing, individual counseling, family counseling, anger management classes, parenting classes, substance abuse counseling, domestic violence counseling, sexual counseling, and a variety of other mental health associations making mental health "services" the dominant factor in any case service plan.
4. It is a matter of DHS policy and practice to require parents, putative father, non parent adult and children to undergo psychological evaluations as a matter of rote.
 - a. It is almost a foregone conclusion that they will be required to undergo such testing and subsequent "counseling" prior to or in conjunction with any contact with the child.

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- b. Any resistance to such mental health "services" is met with punitively withholding the child, siblings and parental contact in direct conflict with the child's best interest.
 - c. DHS workers routinely demand a "voluntary" position on the part of the individual.
- 5. It is a matter of court policy and practice for the court to portray, assume or convey DHS caseworkers as experts in matters of mental health when DHS workers have little to no training or education in mental health evaluations.
 - a. Michigan Rule of Evidence cited as MRE 702 emphasize the court's "gate keeping role" in excluding unproven expert theories and methodologies from juries – but what about the court proper? The court must exclude unreliable expert testimony but is it mandatory when it is not objected to at the time the court allows "questionable" expert testimony to be heard? Is Judge Allen a qualified scientist who can make an accurate determination of accepted scientific standards on the issue of admissible expert testimony?
 - b. These workers are performing duties and responsibilities of BASW and MASW
 - c. These workers do not have the training, skills, supervised internship, testing, certification or licensing required to perform such duties and responsibilities.
 - i. MI Auditor General and the Federal Auditors have so determined in multiple audits and reports that this is in fact true.
 - ii. Licensing checks of workers confirm these workers are not meeting state requirements for licensure.
 - d. These workers, when confronted with evaluations, testing results and counseling reports that differ from what the worker's personal opinion is, the real "experts" reports are thrown away, suppressed from being used in court or reinterpreted as non-cooperation or failing to benefit in order to supplant the report with the opinion of the DHS worker.
 - e. These workers routinely "diagnose" an individual and base "services" on that particular diagnosis.
 - f. Personally in my case caseworker Dan Rogalny diagnosed me and my daughter and even suggested medications for the ailments he so diagnosed.
- 6. The tactics that are a matter of policy and practice of DHS are in and of themselves manipulative, coercive, demanding, threatening, domineering and controlling and therefore are suspect that they themselves could adequately recommend, demand, design and identify appropriate "services" on mental health issues and denial of contact based on resistance to these "services".

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7. It is a matter of court policy and procedure to rubber stamp requests for psychological evaluations, psychiatric testing and counseling thereby making it part of "orders" undergo and/or volunteer for psychological evaluations in all child protection cases and is a cookie cutter approach without substance .
 - a. Again the child and contact are used as hostage and ransom for the parent to comply or forfeit a significant "service" of reunification
 - b. Parenting time is the number one "service" for reunification.
 - c. Continuing the trauma of separation for punitive reasons is beyond the scope of the court's jurisdiction.

To Whom It May Concern:

Regarding the case of Emily Lake

September 27, 2004

Dear Lynnae Lake:

I have never met you, but I do look forward to meeting you someday. I have been reading where you and your nine year old daughter were forcibly removed from your home with you receiving a beating resulting in marks left on your body additionally you and your daughter were "pepper sprayed" and other abusiveness as well.

Let me introduce myself. My name is Carol G. Kramer. I am currently licensed in the State of Michigan as an Elementary Teacher, a Michigan Licensed Social Worker with a special designation as a School Social Worker, and a Michigan Licensed Marriage and Family Therapist.

I understand from what I have read that your little nine year old daughter Emily was removed from your custody after seeing you being beaten by the police and both of you being pepper-sprayed. Hence, I have just had many questions in my mind regarding that incident along with the fact that I understand that you do not have custody of your child, nor are you allowed contact with Emily.

First of all, dynamically anyone witnessing an accident or trauma is a victim of that trauma. Now, Emily must be wondering IF you are alive, and why she wasn't able to take care of and do something to protect her mommy. We know that the average grieving period for a death is five to seven years with children. If you are not allowed to be in contact with Emily despite what anyone tells her, she is in grief believing that you are dead. Who is doing grief management with your child? Who recommended that the single best thing for your daughter was to be removed from her mother? Does that person not know that the child has tremendous trauma just from the manner in which the two of you were removed?

You do realize that even prisoners are allowed to have their children come to the prison to visit them? Yet, I understand that you are allowed no contact at all? Who made this rule? How are they qualified to know what the needs are of a child? If even murders and rapists are allowed contact with their children why are you not allowed such contact?

Secondly, I taught fourth grade for a number of years before I was a School Social Worker. I am amazed that some policemen had to use pepper spray on a child? There is not one of my fourth graders that I as a woman could not have handled WITHOUT pepper spray and physical force. Was there no one there with any training or certification to deal with a child who was obviously distraught and frightened being a part of a nightmare? How large were these officers?

You do understand that if rapists and murderers are allowed to spend time with their children on a weekly basis, and you are NOT allowed to do so, that I am incredibly curious about what kind of horrific crime you have supposedly committed against that little girl? It must be a crime with clear and convincing evidence that you did to that child something unthinkable to that child.

Now, the reason I say that is because as a semi retired therapist, doing much pro bono work, I have recently dealt with cases with some similarities that were linked to the DHS. Each case linked to the DHS/CPS almost inevitably resulted in the kind of destruction and complete disregard of social work dynamics that I believe that I see at work in your particular case.

Once I retired I vowed to see why the CPS/FIA/DHS people did not seem to "speak the same language" as other professionally licensed therapists. Then I discovered that the reality is that they are NOT trained professionally, certified or licensed by the State of Michigan. Many of them had no college or a couple of years of college. However, they never mention that. They love the power of being able to go into the Judges Chambers BEFORE the hearing with a judge that believed that they were licensed and well trained and actually listened to their "soap opera" interpretations of the situation including all their untrained prejudices, transferences and counter transferences, and basic lack of social work dynamics.

Imagine, just to get a Masters degree in Social Work it involves three years of grad school and then at least when I was getting my degree I had to be supervised for two years in two different placements. It may or may not be less or more now. But, the one thing that the School of Social Work knew, and I knew, was that I was learning they dynamics, applying them correctly and being supervised each step of the way.

These DHS caseworkers got their training in eight weeks while working for DHS and that is comparable to the four years of college and three years of Graduate School that I spent in getting my degree. Now, something is very wrong here. Either I was very foolish to spend all that time and money in college and graduate school to get my degree and practice social work, or they are very foolish to think that they can do from eight weeks of training the identical type of job that I am licensed to do, with no repercussions whatsoever. Unfortunately, there are repercussions and I am seeing those repercussions on a regular basis in hearing and reading the pleas of the parents and children whose lives have been ruthlessly torn apart by the appropriate phrase of "Fools rush in where angels fear to tread."

I am vowing to do what I can to stop the untrained, unlicensed caseworkers from taking the stand in court for which they are neither qualified, educated or licensed. I have asked the Bd of Licensing of the State of Michigan, the National Association of Social Workers, and the Director of the Board of Licensing as well as the Assistant Attorney General for the Board of Licensing to look into this matter. I have also asked the State Board of Licensing Social Workers which according to the Department of Community Health maintains that if you do NOT possess a license or is expires, "... You cannot practice your profession nor will you be able to identify yourself as a licensed or registered professional. Working without a valid license/registration is considered a FELONY under Michigan Law and will result in legal proceedings..."

All of those people involved in the case regarding Emily who are NOT able to identify themselves as a licensed or registered professional according to the Licensing Act for Social Workers that started July 1, 2005, and do NOT possess a valid license/registration must NOT be allowed to testify in court or if they are, in my opinion, they are committing a felony and should result in legal proceedings.

I am very aware of Public Act 61 of 2004 where the DHS legal counsel assigned to the children's issues likes to point out the "DHS CPR and Foster Care workers are not subject to licensure under this Act so long as they do not hold themselves out as licensed or registered under the Act, and have the REQUISITE TRAINING associated with their specific jobs".

I am also aware that:

Under the FEDERAL REVIEW CPS caseworkers do NOT HAVE the REQUISITE TRAINING. Under the MI Performance Audit as of Aug 2005 that CPS/DHS workers DO NOT have the requisite training.

The eight week state provided training in CPS workers, Foster care workers and Supervisors DOES NOT equate to the training of a BSW Licensed Social Worker.

It is my belief and the belief of many licensed MSW's that even a BSW Licensed Social Worker is NOT well trained enough to make the decision regarding the removal of children.

As an analogy that would be similar to a family practice physician doing brain surgery. It would be risky and life threatening at the very least.

I do hope that you are able to have only licensed professionals testifying on your behalf and that of Emily when you are in the courtroom. It is also my hope that the court itself will disqualify anyone not holding a license of registration from the State of Michigan from taking the stand or submitting any kind of evidence in your case.

I looked today at the State Ethics Act where the Standards of Conduct for Public Officers and Employees list what is Unethical Conduct. Two things stood out that caught my attention...

2. representation of personal opinion as that of government agencies.
6. ... rendering service which is incompatible with performance of official duties.

To me, taking the stand by DHS unlicensed employees is indeed giving a personal opinion. And the rendering of service which to me by lack of licensure makes the DHS employees incompatible with performing their duty like removing children from their parents.

I wish you well, you are fighting a huge group of unlicensed, uneducated opinionated, caseworkers. I will continue to work to help ameliorate this problem.

Best Regards,

Carol G. Kramer, MA, MSW, Ph.D.

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September 30, 2005

Dear beautiful Emily,

I hope this letter finds you happy and in good care. I can't tell you how much I miss your bright smile and your wonderful laughter. It was so pleasant having you here to play ball with, go bicycling with, wrestle with and chase you when you playfully taunted me. You were also so thoughtful of my mother who I know at times caused you some problems. I was so impressed how quickly you forgot things that she did that upset you. What you showed Emily to not only me but all my friends was that you are a truly a very gracious and wonderful person. I don't think I have ever met a person as young as you who had your grace and charm.

I also want to thank you for the beautiful sun flowers you planted along side the neighbors house. They have all bloomed and I will be taking pictures and sending them to you as soon as they are developed.

I want you to know Emily how important your well being is to me. I am so sorry I was not able to protect you from the police when they stormed my house without lawful authority to do so. I do intend to hold those personally responsible for the outrageous way they treated all of us but most importantly you. I felt so helpless sitting in the back seat of the police car handcuffed when they brought you out of the house crying and pouring water on your eyes to stop the burning from the mace the police sprayed on you and your mom. The story of that event has been written up in the US OBSERVER and I will be sending copies to your mother.

You have my phone number Emily so please call me collect anytime you want. I know your mother is trying hard to get you back in her custody and I will do all I can to help her. Again I want to tell you how much you mean to me and everyone else out here who knew you and truly loved you.

With Loving affection
Roger